
A BILL FOR AN ACT

RELATING TO THE STRUCTURE OF GOVERNMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there exists vast,
2 unmet community development needs that the Hawaii community
3 development authority may address through its community
4 development districts.

5 Significant planning and public outreach has occurred on
6 specific projects to revitalize many areas of the State. One
7 such area is the land under the jurisdiction of the stadium
8 authority and the department of accounting and general services.

9 The legislature finds that redevelopment of lands under the
10 jurisdiction of the stadium authority and the department of
11 accounting and general services could benefit from the Hawaii
12 community development authority administering such a project.

13 The legislature further finds that, as significant public
14 outreach and studies have already occurred, a stadium
15 development district may be formed that is exempt from
16 requirements of chapter 206E-5, Hawaii Revised Statutes. The
17 legislature seeks to ensure continued public participation in



1 this project by requiring decisions regarding the project that
2 may have a significant impact on the community or environment to
3 be made by the stadium authority at a public meeting.

4 The purpose of this Act is to establish the stadium
5 development district, which includes all state property under
6 the jurisdiction of the stadium authority, under the
7 jurisdiction of the Hawaii community development authority to
8 expedite the redevelopment of Aloha stadium and the property
9 around it to bring economic development to an area that is in
10 need of renewal, renovation, and improvement.

11 SECTION 2. Chapter 109, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§109- Lease restrictions; generally. (a) Except as
15 otherwise provided, the following restrictions shall apply to
16 all leases within the stadium development district:

17 (1) Options for renewal of terms are prohibited;

18 (2) No lease shall be for a term longer than ninety-nine
19 years;



1 (3) No lease shall be made to any person who is in arrears
2 in the payment of taxes, rents, or other obligations
3 owing the State or any county;

4 (4) No lease shall be transferable or assignable, except
5 by devise, bequest, or intestate succession; provided
6 that with the approval of the stadium authority, the
7 assignment and transfer of a lease or unit thereof may
8 be made in accordance with current industry standards,
9 as determined by the authority; provided further that
10 prior to the approval of any assignment of lease, the
11 authority shall have the right to review and approve
12 the consideration to be paid by the assignee and may
13 condition its consent to the assignment of the lease
14 on payment by the lessee of a premium based on the
15 amount by which the consideration for the assignment,
16 whether by cash, credit, or otherwise, exceeds the
17 depreciated cost of improvements and trade fixtures
18 being transferred to the assignee; provided further
19 that in the event of foreclosure or sale, the premium,
20 if any, shall be assessed only after the encumbrances



1 of record and any other advances made by the holder of
2 a security interest are paid;

3 (5) The lessee shall not sublet the whole or any part of
4 the demised premises except with the prior approval of
5 the authority; provided that prior to the approval,
6 the authority shall have the right to review and
7 approve the rent to be charged to the sublessee;
8 provided further that in the case where the lessee is
9 required to pay rent based on a percentage of its
10 gross receipts, the receipts of the sublessee shall be
11 included as part of the lessee's gross receipts;
12 provided further that the authority shall have the
13 right to review and, if necessary, revise the rent of
14 the demised premises based upon the rental rate
15 charged to the sublessee including the percentage
16 rent, if applicable, and provided that the rent may
17 not be revised downward;

18 (6) The lease shall be for a specific use or uses and
19 shall not include waste lands, unless it is
20 impractical to provide otherwise; and



1 (7) Mineral and metallic rights and surface and ground
2 water shall be reserved to the State.

3 (b) The stadium authority, from time to time, upon the
4 issuance or during the term of any lease, may:

5 (1) Modify or eliminate any of the restrictions specified
6 in subsection (a);

7 (2) Extend the term of the lease, to the extent necessary
8 to qualify the lease for mortgage lending or guaranty
9 purposes with any federal mortgage lending agency, to
10 qualify the lessee for any state or private lending
11 institution loan, private loan guaranteed by the
12 State, or loan in which the State and any private
13 lender participates, or to amortize the cost of
14 substantial improvements to the demised premises that
15 are paid for by the lessee without institutional
16 financing, such extension being based on the economic
17 life of the improvements as determined by the
18 authority or an independent appraiser; provided that
19 the approval of any extension shall be subject to the
20 following:



1 (A) The demised premises have been used substantially
2 for the purpose for which they were originally
3 leased;

4 (B) The aggregate of the initial term and any
5 extension granted shall not be for more than
6 ninety-nine years;

7 (C) In the event of a reopening, the rental for any
8 ensuing period shall be the fair market rental at
9 the time of reopening;

10 (D) Any federal or private lending institution shall
11 be qualified to do business in the State;

12 (E) Proceeds of any mortgage or loan shall be used
13 solely for the operations or improvements on the
14 demised premises;

15 (F) Where improvements are financed by the lessee,
16 the lessee shall submit receipts of expenditures
17 within a time period specified by the authority,
18 otherwise the lease extension shall be canceled;
19 and

20 (G) The rules of the authority, setting forth any
21 additional terms and conditions, which shall



1 ensure and promote the purposes of the demised
2 lands.

3 (c) The stadium authority at any time during the term of
4 any lease and when justified by sound economic practices or
5 other circumstances, may permit an alternative use or uses for
6 any portion or portions of the land demised. As a condition to
7 permitting alternative uses, the authority may require such
8 other modifications, including rental adjustments or changes in
9 the lease as may be necessary to effect or accommodate the
10 alternative use or uses. An alternative use or uses may be
11 allowed by the authority upon:

12 (1) The application of the lessee;

13 (2) Consent of each holder of record having a security
14 interest in the leasehold; and

15 (3) A finding by the authority that the alternative use or
16 uses are in the public interest.

17 (d) The stadium authority, from time to time, during the
18 term of any lease, may modify or eliminate any of the
19 restrictions specified in subsection (a) or extend, terminate,
20 or modify the term of the lease upon a showing of significant
21 economic hardship directly caused by:



1 (1) State disaster, pursuant to chapter 209, including
2 seismic or tidal wave, tsunami, hurricane, volcanic
3 eruption, typhoon, earthquake, flood, or severe
4 drought; or

5 (2) A taking of a portion of the area of the lease by
6 government action by eminent domain, withdrawal, or
7 conservation easement; provided that the portion taken
8 shall not be less than ten per cent of the entire
9 leased area unless otherwise approved by the
10 authority; provided further that the authority
11 determines that the lessee will not be adequately
12 compensated pursuant to the lease provisions.

13 (e) The approval of any extension granted pursuant to
14 subsection (d) shall be subject to the following:

15 (1) The demised premises have been used substantially for
16 the purposes for which they were originally leased;

17 (2) The aggregate of the initial term and any extension
18 granted shall not be for more than ninety-nine years;

19 (3) The rental shall not be less than the rental for the
20 preceding term;



1 (4) The rules of the authority, setting forth any
2 additional terms and conditions which shall ensure and
3 promote the purposes of the demised lands; and

4 (5) The length of the extension shall not exceed a
5 reasonable length of time for the purpose of providing
6 relief and shall in no case exceed five years.

7 (f) The stadium authority and Hawaii community development
8 association shall execute a memorandum of agreement with the
9 appropriate state agencies to effectuate this section."

10 SECTION 3. Chapter 206E, Hawaii Revised Statutes, is
11 amended by adding a new part to be appropriately designated and
12 to read as follows:

13 "PART . STADIUM DEVELOPMENT DISTRICT

14 §206E-A Stadium development district; purpose; findings.

15 The legislature finds that the Aloha Stadium and lands under the
16 jurisdiction of the stadium authority and department of
17 accounting and general services are underutilized. The stadium
18 facility has been in dire need of significant repair and
19 maintenance for many years. The stadium authority has
20 considered repairing, upgrading, and replacing the existing
21 facility to optimize the public's enjoyment and ensure public



1 safety. Redeveloping, renovating, or improving these public
2 lands in a manner that will provide suitable recreational,
3 residential, educational, and commercial areas where the public
4 can live, congregate, recreate, attend schools, and shop as part
5 of a thoughtfully integrated experience, is in the best
6 interests of the State and its people.

7 This part establishes the stadium development district to
8 make optimal use of public land for the economic, residential,
9 educational, and social benefit of the people of Hawaii.

10 The legislature finds that the jurisdiction of the Hawaii
11 community development authority shall include development within
12 the stadium development district; provided that the stadium
13 authority shall own and hold title to all lands within the
14 stadium development district.

15 The legislature finds that extensive planning for the
16 redevelopment of the aloha stadium property has already occurred
17 and the project must move quickly to the implementation phase.

18 The legislature further finds that proper execution of a
19 mixed-use redevelopment of Aloha Stadium may result in
20 sufficient revenue to maintain the stadium and its environs
21 without any additional cost to taxpayers.



1 The legislature finds that it is in the best interests of
2 the State to ensure continued public participation in decisions
3 regarding the project. All decisions and actions within the
4 district that may have significant impact on the community or
5 environment shall be made or taken by the stadium authority at
6 public meetings pursuant to chapters 91 and 92. The legislature
7 further finds that:

8 (1) The authority's role in the stadium development
9 district shall be purely ministerial;

10 (2) No new board is necessary to administer the stadium
11 development district; and

12 (3) The executive director of the Hawaii community
13 development authority may take actions necessary to
14 effectuate this part.

15 The legislature finds that nothing in this section shall
16 affect the day-to-day duties of the stadium authority except to
17 the extent that they hinder the redevelopment described in this
18 part.

19 **§206E-B Definitions.** As used in this part, unless the
20 context otherwise requires:



1 "District" means the stadium development district
2 established by this part.

3 "Executive director" means the executive director of the
4 Hawaii community development authority.

5 **§206E-C District; established; boundaries.** (a) The
6 stadium development district is established and shall be
7 composed of all land under the ownership and jurisdiction of the
8 stadium authority established by this part.

9 (b) The executive director shall facilitate the
10 development of all property belonging to the State within the
11 district; provided that development is consistent with the Aloha
12 Stadium Conceptual Redevelopment Report dated February 23, 2017,
13 and prepared for the department of accounting and general
14 services and any county transit-oriented development plans for
15 lands within and surrounding the district. In addition to any
16 other duties that the executive director may have pursuant to
17 this chapter, the executive director's duties shall include but
18 not be limited to:

19 (1) Coordinating with other state entities during the
20 conveyance of properties and conducting remediation



activities for the property belonging to the State within the district;

(2) Developing the infrastructure necessary to support the development of all property belonging to the State within the district; and

(3) Providing, to the extent feasible, maximum opportunity for the reuse of property belonging to the State within the district by private enterprise or state and county government.

(c) Upon written request of the executive director and proclamation of the governor, the boundary of the district may be expanded to contiguous land; provided that the expanded district would be part of redevelopment; and provided further that title to the expanded lands shall be transferred to the stadium authority. The legislature may reject such an expansion of the district by adoption of a concurrent resolution.

§206E-D Development guidance policies. (a) The following shall be the development guidance policies generally governing the executive director's actions in the district:

(1) Development shall be consistent with any county transit-oriented development plan;



1 (2) Development shall be consistent with the Aloha Stadium
2 Conceptual Redevelopment Report dated February 23,
3 2017, and prepared for the department of accounting
4 and general services;

5 (3) With the approval of the governor, the executive
6 director, may modify and make changes to a transit-
7 oriented development plan and the Aloha Stadium
8 Conceptual Redevelopment Report with respect to the
9 district to respond to changing conditions or needs;
10 provided that prior to any amendment, the executive
11 director shall conduct a public hearing to inform the
12 public of the proposed changes and receive public
13 input, and the executive director or hearings officer
14 shall record all comments and provide a response in
15 writing to each comment;

16 (4) The executive director shall issue a solicitation and
17 may select a vendor for the stadium development
18 district that includes a stadium, including luxury
19 suites and retail, dining, office, residential, and
20 other commercial operations. The solicitation shall
21 consider parking as well as efficient ingress and



1 egress to the stadium. The executive director shall
2 consider revenue produced by the solicitation to
3 generate sufficient cash flows to maintain the
4 stadium;

5 (5) The executive director may engage in planning, design,
6 and construction activities within and outside the
7 district; provided that activities outside the
8 district shall relate to infrastructure development,
9 area-wide drainage improvements, roadway realignments
10 and improvements, business and industrial relocation,
11 and other activities the executive director deems
12 necessary to carry out development of the district and
13 implement this part. The executive director may
14 undertake studies or coordinating activities in
15 conjunction with the county and appropriate state
16 agencies and may address facility systems, industrial
17 relocation, and other activities;

18 (6) Endangered species of flora and fauna shall be
19 preserved as required by state and federal law;

20 (7) Land use and development activities within the
21 district shall be coordinated with and, to the extent



possible, complement existing county and state policies, plans, and programs affecting the district;

(8) Public facilities within the district shall be planned, located, and developed to support the development policies established by this part for the district and rules adopted pursuant to this part;

(9) A portion of the revenues from the stadium development district shall be used to reimburse the general fund for interest on and principal of reimbursable general obligation bonds issued pursuant to Act , Session Laws of Hawaii 2019. Should the stadium development district generate revenues in excess of the amount needed to reimburse the general fund and maintain the stadium:

(A) Fifty per cent of the remaining excess revenues shall be deposited into the stadium special fund; and

(B) Fifty per cent of the remaining excess revenues may be transferred out of the stadium development district subaccount of the Hawaii community



1 development revolving fund to be used as the
2 authority deems necessary; and

3 (10) The executive director shall prepare development plans
4 for all designated stadium complex areas.

5 (b) The development guidance policies generally governing
6 the stadium authority's actions in the district are as follows:

7 (1) Acquire, hold, and lease real estate;

8 (2) Negotiate and issue licenses, permits, and other
9 documents pertaining to the use of real estate or
10 facilities;

11 (3) Exercise condemnation powers for public facilities;

12 (4) Partner with other entities to construct improvements;

13 (5) Prepare and modify development plans;

14 (6) Contract with other entities for a design-build
15 approach for a project;

16 (7) Contract and accept gifts from public agencies or
17 other sources;

18 (8) Develop a marketing plan for the stadium area; and

19 (9) Retain and exercise discretionary authority for all
20 decisions and actions that may have significant impact
21 on the community or environment.



1 **§206E-E Development rules.** The executive director may, by
2 written request to and proclamation by the governor, adopt rules
3 to be followed during the development within the district, which
4 shall be known as the development rules, in connection with
5 health, safety, building, planning, zoning, and land use. The
6 legislature may reject the adoption of rules by adoption of a
7 concurrent resolution. The rules shall supersede all other
8 inconsistent ordinances and rules relating to the use, zoning,
9 planning, and development of land and construction thereon
10 within the district. Rules adopted under this section shall
11 follow existing laws, rules, ordinances, and regulations as
12 closely as is consistent with standards meeting minimum
13 requirements of good design, pleasant amenities, health, safety,
14 and coordinated development. The executive director may
15 establish policies and procedures for monitoring and ensuring
16 that development within the district complies with these
17 development rules and may establish fines and penalties or take
18 any other action available under the law to eliminate any
19 noncomplying action.

20 **§206E-F Stadium development district revenues.** (a) All
21 revenues derived from the district, including any fines or



1 penalties collected pursuant to this part, shall be deposited
2 into a stadium development district subaccount of the Hawaii
3 community development revolving fund established pursuant to
4 section 206E-16; provided that this section shall not apply to
5 revenue collected by the stadium authority for deposit into the
6 stadium special fund pursuant to section 109-3.

7 (b) Revenues deposited into the stadium development
8 district subaccount of the Hawaii community development
9 revolving fund pursuant to subsection (a) may be used for the
10 purposes of this part, including maintenance of the stadium;
11 provided that a portion of the revenues shall be used to
12 reimburse the state general fund for interest on and principal
13 of reimbursable general obligation bonds issued by the State for
14 purposes of Act , Session Laws of Hawaii 2019; provided
15 further that excess revenue shall be used in accordance with
16 section 206E-D(a)(9).

17 (c) The authority may adopt rules pursuant to chapter 91
18 for the purposes of this section."

19 SECTION 4. Section 109-2, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "§109-2 Stadium authority; powers and duties. The powers
2 and duties of the stadium authority shall be as follows:

3 (1) To acquire, hold title to, and lease real property,
4 issue licenses or permits for use of real property,
5 and maintain, operate, and manage the stadium and
6 related facilities;

7 (2) To prescribe and collect rents, fees, and charges for
8 the use or enjoyment of the stadium or any of its
9 facilities;

10 (3) To make and execute contracts and other instruments
11 necessary or convenient to exercise its powers under
12 this chapter and subject to any limitations in this
13 chapter, to exercise all powers necessary, incidental,
14 or convenient to carry out and effectuate the purposes
15 and provisions of this chapter;

16 (4) To adopt, amend, and repeal rules, in accordance with
17 chapter 91 [~~rules~~], it may deem necessary to
18 effectuate this chapter and in connection with its
19 projects, operations, and facilities;

20 (5) To appoint a manager and a deputy manager who shall
21 have qualifications as the authority deems necessary



1 and who shall hold their respective offices at the
2 pleasure of the authority. The manager and deputy
3 manager shall be exempt from the requirements of
4 chapters 76 and 89. Effective July 1, 2005, the
5 manager shall be paid a salary not to exceed eighty-
6 seven per cent of the salary of the director of human
7 resources development. Effective July 1, 2005, the
8 deputy manager shall be paid a salary not to exceed
9 eighty-five per cent of the manager's salary. The
10 manager shall have full power to administer the
11 affairs of the stadium and related facilities, subject
12 to the direction and approval of the authority. The
13 manager [~~shall~~], subject to the approval of the
14 authority, shall have power to appoint, suspend, and
15 discharge a secretary who shall be exempt from the
16 requirements of chapters 76 and 89, and other
17 employees, subordinates, and assistants as may be
18 necessary for the proper conduct of the business of
19 the authority. Except for persons hired on contract
20 or otherwise as provided in section 109-3 and except
21 for the manager, deputy manager, and secretary, all



1 appointments, suspensions, or discharges shall be made
2 in conformity with the applicable provisions of
3 chapter 76; [~~and~~]

4 (6) To plan, promote, and market the stadium and related
5 facilities[~~-~~]; and

6 (7) To establish additional restrictions, requirements, or
7 conditions, not inconsistent with those prescribed in
8 this chapter, relating to the use of real property,
9 the terms of any lease, license, or permit, and the
10 eligibility requirements for any applicants for use of
11 real property."

12 SECTION 5. Section 171-2, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§171-2 Definition of public lands. "Public lands" means
15 all lands or interest therein in the State classed as government
16 or crown lands previous to August 15, 1895, or acquired or
17 reserved by the government upon or subsequent to that date by
18 purchase, exchange, escheat, or the exercise of the right of
19 eminent domain, or in any other manner; including lands accreted
20 after May 20, 2003, and not otherwise awarded, submerged lands,
21 and lands beneath tidal waters that are suitable for



1 reclamation, together with reclaimed lands that have been given
2 the status of public lands under this chapter, except:

3 (1) Lands designated in section 203 of the Hawaiian Homes
4 Commission Act, 1920, as amended;

5 (2) Lands set aside pursuant to law for the use of the
6 United States;

7 (3) Lands being used for roads and streets;

8 (4) Lands to which the United States relinquished the
9 absolute fee and ownership under section 91 of the
10 Hawaiian Organic Act prior to the admission of Hawaii
11 as a state of the United States unless subsequently
12 placed under the control of the board of land and
13 natural resources and given the status of public lands
14 in accordance with the state constitution, the
15 Hawaiian Homes Commission Act, 1920, as amended, or
16 other laws;

17 (5) Lands to which the University of Hawaii holds title;

18 (6) Lands to which the Hawaii housing finance and
19 development corporation in its corporate capacity
20 holds title;



- 1 (7) Lands to which the Hawaii community development
2 authority in its corporate capacity holds title;
- 3 (8) Lands to which the department of agriculture holds
4 title by way of foreclosure, voluntary surrender, or
5 otherwise, to recover moneys loaned or to recover
6 debts otherwise owed the department under chapter 167;
- 7 (9) Lands that are set aside by the governor to the Aloha
8 Tower development corporation; lands leased to the
9 Aloha Tower development corporation by any department
10 or agency of the State; or lands to which the Aloha
11 Tower development corporation holds title in its
12 corporate capacity;
- 13 (10) Lands that are set aside by the governor to the
14 agribusiness development corporation; lands leased to
15 the agribusiness development corporation by any
16 department or agency of the State; or lands to which
17 the agribusiness development corporation in its
18 corporate capacity holds title;
- 19 (11) Lands to which the Hawaii technology development
20 corporation in its corporate capacity holds title;
21 [and]



1 (12) Lands to which the department of education holds
2 title; and

3 (13) Lands to which the stadium authority holds title;
4 provided that, except as otherwise limited under federal law and
5 except for state land used as an airport as defined in section
6 262-1, public lands shall include the air rights over any
7 portion of state land upon which a county mass transit project
8 is developed after July 11, 2005[-]; provided further that the
9 disposition of those lands or any improvements thereon shall be
10 done consistently with the terms, conditions, restrictions, and
11 uses applicable to the disposition of public lands."

12 SECTION 6. Section 206E-4.1, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "[+]§206E-4.1[+] **Assignment of powers and duties**
15 **prohibited.** Notwithstanding anything contained in this chapter
16 to the contrary, except for part of this chapter, the
17 authority shall not assign to any person or agency, including
18 the executive director of the authority, any of its powers and
19 duties related to the approval of any variance, exemption, or
20 modification of any provision of a community development plan or
21 community development rules."



1 SECTION 7. Section 206E-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§206E-5 Designation of community development districts;
4 community development plans. (a) The legislature, by statute,
5 may designate an area as a community development district if it
6 determines that there is need for replanning, renewal, or
7 redevelopment of that area. The designation shall describe the
8 boundaries of the district.

9 (b) After designation, the authority shall develop a
10 community development plan for the designated district. The
11 plan shall include but not be limited to community development
12 guidance policies, district-wide improvement program and
13 community development rules.

14 (c) The authority may enter into cooperative agreements
15 with qualified persons or public agencies, where the powers,
16 services, and capabilities of such persons or agencies are
17 deemed necessary and appropriate for the development of the
18 community development plan.

19 (d) Whenever possible, planning activities of the
20 authority shall be coordinated with federal, state and county
21 plans. Consideration shall be given to state goals and



1 policies, adopted state plan or land use guidance policies,
2 county general plans, development plans, and ordinances.

3 (e) The authority shall hold a public hearing on a
4 proposed community development plan pursuant to chapter 91 and,
5 after consideration of comments received and appropriate
6 revision, shall submit the community development plan to the
7 governor for the governor's approval.

8 After approval, the governor shall submit to the
9 legislature requests for appropriations, authorization to issue
10 bonds, or both, to implement the community development plan in
11 an orderly, affordable, and feasible manner. The governor shall
12 submit the requests to the legislature as part of the executive
13 budget or supplemental budget, as appropriate. In addition to
14 the information, data, and materials required under chapter 37,
15 the requests shall be accompanied by:

16 (1) Plans, maps, narrative descriptions, and other
17 appropriate materials on the:

18 (A) Locations and design of projects or public
19 facilities proposed to be funded; and

20 (B) Phase of the community development plans proposed
21 to be implemented with the requested funds; and



(2) Other information deemed by the governor of significance to the legislature regarding the projects or public facilities proposed to be funded, including a discussion of the public benefits intended by, and adverse effects which may result from, implementation of the projects or public facilities.

(f) The authority may amend the community development plan as may be necessary. Amendments shall be made in accordance with chapter 91.

(g) The stadium development district shall be exempt from this section."

SECTION 8. (a) Notwithstanding any other law to the contrary, the department of land and natural resources shall transfer the fee simple interest in all parcels of land under the control or jurisdiction of the stadium authority, including all existing improvements thereon, to the stadium authority as grantee, as is, where is; provided that the legal instrument transferring the fee simple interest shall prohibit the stadium authority from selling, exchanging, or otherwise relinquishing the State's title to any ceded lands. The parcels to be transferred shall include:



1 (1) TMK 99003055:0000;

2 (2) TMK 99003061:0000;

3 (3) TMK 99003070:0000;

4 (4) TMK 99003071:0000; and

5 (5) Any other parcels under the jurisdiction of the
6 stadium authority.

7 (b) The department of land and natural resources shall
8 prepare, execute, and record, in the land court or bureau of
9 conveyances, as appropriate, a quitclaim deed to convey each
10 above-listed parcel with all existing improvements, subject to
11 the property boundaries determined pursuant to subsection (d),
12 to the stadium authority, as grantee. As these are conveyances
13 in which the State and its agencies are the only parties, the
14 tax imposed by section 247-1, Hawaii Revised Statutes, shall not
15 apply. Effective on the date of transfer pursuant to subsection
16 (d), every reference to the present titleholder or the head of
17 the department or agency in each instrument, if the titleholder
18 is a department or an agency, shall be construed as a reference
19 to the stadium authority.

20 (c) The stadium authority shall accept the properties in
21 their existing condition. All claims and liabilities against



1 the department of land and natural resources, if any, which the
2 stadium authority has, may have had, or may have in the future,
3 regarding any injury, loss, cost, damage, or liability,
4 including reasonable attorney's fees, concerning the physical,
5 environmental, soil, economic, and legal conditions of the
6 conveyed properties, are released, waived, and extinguished.

7 (d) Work to initiate the transfer of parcels identified in
8 this section shall start no later than December 31, 2019.

9 SECTION 9. Any law to the contrary notwithstanding, any
10 remaining amount of the appropriation made by item H-18 of
11 section 30 of Act 49, Session Laws of Hawaii 2017, as amended
12 and renumbered by section 5 of Act 53, Session Laws of Hawaii
13 2018, that is unallotted or unencumbered is hereby lapsed;
14 provided that the lapsed amount shall be transferred and
15 appropriated to the Hawaii community development authority for
16 fiscal year 2019-2020 to establish and develop the stadium
17 development district for public use.

18 SECTION 10. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$50,000,000 or so
20 much thereof as may be necessary for fiscal year 2019-2020 for



1 the Hawaii community development authority to establish and
2 develop the stadium development district for public use.

3 SECTION 11. The director of finance is authorized to issue
4 reimbursable general obligation bonds in the sum of \$150,000,000
5 or so much thereof as may be necessary and the same sum or so
6 much thereof as may be necessary is appropriated for fiscal year
7 2019-2020 for the Hawaii community development authority to
8 establish the stadium development district and build a new
9 stadium as provided for in chapter 206E, part , Hawaii
10 Revised Statutes.

11 The proceeds of the reimbursable general obligation bonds
12 shall be deposited into the stadium development district
13 subaccount of the Hawaii community development revolving fund;
14 provided that the Hawaii community development authority shall
15 use a portion of the revenues of the stadium development
16 district to reimburse the general fund for all costs, including
17 interest on and principal of the reimbursable general obligation
18 bonds issued pursuant to this section.

19 SECTION 12. The director of finance is authorized to issue
20 general obligation bonds in the sum of \$150,000,000 or so much
21 thereof as may be necessary and the same sum or so much thereof



1 as may be necessary is appropriated for fiscal year 2019-2020 to
2 the Hawaii community development authority to build a new
3 stadium.

4 SECTION 13. The sums appropriated by sections 10, 11, and
5 12 of this Act shall be expended by the Hawaii community
6 development authority for the purposes of this Act.

7 SECTION 14. The appropriations made for the capital
8 improvement projects authorized by sections 10, 11, and 12 of
9 this Act shall not lapse at the end of the fiscal biennium for
10 which the appropriation is made; provided that all moneys from
11 the appropriation unencumbered as of June 30, 2022, shall lapse
12 as of that date.

13 SECTION 15. In codifying the new sections added by section
14 3 of this Act, the revisor of statutes shall substitute
15 appropriate section numbers for the letters used in designating
16 the new sections in this Act.

17 SECTION 16. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 17. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Community Development Authority; Stadium Development
District; Appropriation

Description:

Establishes the stadium development district, which includes all state property under the jurisdiction of the stadium authority. Transfers title of lands under the jurisdiction of the Stadium Authority to the Hawaii Community Development Authority. Authorizes the issuance of general obligation bonds and reimbursable general obligation bonds and appropriates funds. Exempts lands owned by the Stadium Authority from the definition of public lands but establishes certain restrictions on leases within the stadium development district and requires all dispositions of those lands to be done consistently with requirements applicable to public lands. Effective 7/1/2050.
(SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

